

Introduced by Senator Scott

July 22, 2003

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article VII thereof, relating to the California Community Colleges.

LEGISLATIVE COUNSEL'S DIGEST

SCA 12, as introduced, Scott. California Community Colleges: officers exempt from civil service.

An existing provision of the California Constitution generally requires that the state civil service includes every officer and employee of the state except as otherwise provided in the Constitution. Officers and employees of the University of California and the California State University, among others, are exempted from civil service by existing provisions of the California Constitution.

This bill would additionally provide for the exemption from civil service of the Chancellor of the California Community Colleges and any deputy chancellors or vice chancellors of the California Community Colleges that are authorized by statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

1     *Resolved by the Senate, the Assembly concurring,* That the  
2     Legislature of the State of California at its 2003–04 Regular  
3     Session commencing on the second day of December 2002,  
4     two-thirds of the membership of each house concurring, hereby  
5     proposes to the people of the State of California that the

1 Constitution of the State be amended by amending Section 4 of  
2 Article VII thereof, to read:

3 SEC. 4. The following are exempt from civil service:

4 (a) Officers and employees appointed or employed by the  
5 Legislature, either house, or legislative committees.

6 (b) Officers and employees appointed or employed by  
7 councils, commissions or public corporations in the judicial  
8 branch or by a court of record or officer thereof.

9 (c) Officers elected by the people and a deputy and an employee  
10 selected by each elected officer.

11 (d) Members of boards and commissions.

12 (e) A deputy or employee selected by each board or  
13 commission either appointed by the Governor or authorized by  
14 statute.

15 (f) State officers directly appointed by the Governor with or  
16 without the consent or confirmation of the Senate and the  
17 employees of the Governor's office, and the employees of the  
18 Lieutenant Governor's office directly appointed or employed by  
19 the Lieutenant Governor.

20 (g) A deputy or employee selected by each officer, except  
21 members of boards and commissions, exempted under ~~Section~~  
22 ~~4(f)~~ *subdivision (f)*.

23 (h) (1) Officers and employees of the University of California  
24 and the California State ~~Colleges~~ *University*.

25 (2) *The Chancellor of the California Community Colleges, and*  
26 *deputy chancellors or vice chancellors of the California*  
27 *Community Colleges that are authorized by statute.*

28 (i) The teaching staff of schools under the jurisdiction of the  
29 State Department of Education or the Superintendent of Public  
30 Instruction.

31 (j) Member, inmate, and patient help in state homes, charitable  
32 or correctional institutions, and state facilities for mentally ill or  
33 retarded persons.

34 (k) Members of the militia while engaged in military service.

35 (l) Officers and employees of district agricultural associations  
36 employed less than 6 months in a calendar year.

37 (m) In addition to positions exempted by other provisions of  
38 this section, the Attorney General may appoint or employ six  
39 deputies or employees, the Public Utilities Commission may



- 1 appoint or employ one deputy or employee, and the Legislative
- 2 Counsel may appoint or employ two deputies or employees.

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